

14.
23-08-2023
(ct. no.29)
Sayandeep
Allowed

CRM(A) 3019 of 2023

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murarai Police Station** Case No. **152 of 2013** dated **30.06.2023** under Sections **498A/302** of the Indian Penal Code.

- A n d -

In the matter of : Jaharul Islam @Biman@Zohorul Islam & Ors.

.... Petitioners.

Mr. Milan Mukherjee
Mr. Ekramul Bari
Mr. Sujan Chatterjee
Mr. Sk. Imtiaj Uddin

... For the Petitioners.

Mr. Saswata Gopal Mukherjee,
Mr. Aniket Mitra
Ms. Jonaki Saha

... for the State.

1. Heard learned counsel for the parties.
2. The present petitioners are brother-in-law, mother-in-law and husband of the deceased respectively. The P.M. report shows that there are no external injury on the dead body and a punctured wound of 3 inch into 2 inch into 1 inch were found in the uterus of the victim which in our considered view neither can be suicidal or homicidal subject to examination of the medical officer in the trial. From the statement of the witnesses on record who are the neighbours, it is found that they noticed no altercation or tassel between the deceased

and the present accused persons in their matrimonial home.

3. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation and substantial progress in investigation, it is directed that the petitioner shall be released on bail by the Arresting Officer in the event of their arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case including the fact that:

i) The petitioners are directed to appear before the IO for the purpose of investigation as and when required.

4. The petitioners are directed to appear before the IO within 21 days from today along with a server copy or certified copy of this order.

5. Accordingly, the prayer for the anticipatory bail is allowed.

6. The application being CRM(A) 3019 of 2023 is disposed of.

7. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)